

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LAROSA R. CARSON,

Plaintiff,

v.

ORDER
08-CV-362A

GROVE ROOFING SERVICES, INC.,

Defendant.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On October 29, 2008, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that plaintiff's motion to dismiss the case be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, plaintiff's motion to dismiss the case is granted.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: November 20, 2008